

Green.—Decisions indorsed on papers. Schaffer agt. Motion to open default denied. Kavanagh agt. Meyer

enbacher et al. Plaintiff: Reader atq. Jaceor Pierre as
son. Son of atq. Williams. Complaints denied
of atq. (Arising from the fact that the complaint
taken at the General Term, and the matters
for the default were there presented as a cause
pouement; the General Term decided that the excuse
of atq. (The same excuse upon me; the
on default will therefore be denied, and the
fact that the execution was returned before the
days only constitute a bar when it is the result of
son with the plaintiff; it is the fraudulent act of the
defendant, and the plaintiff is entitled to recover and depri
his equitable action in the nature of a contract.

ant. Waller, 25 N. Y., p. 438); the proofs
The fall to show fraud or collusion, or any
direction to return the writ. Making

Montrose, act. Steinhards; Lyden, act. Coe; ...
Scaries; Douglas, act. Neville; Woolley, act. Lee, H.
Puran; Hart, act. Scheider; Coffin, act. Koppel
granted. Elbert, act. Frank, act. Searns; Pomeroy,
act. Lacey, act. B... ..
noted. Walter, act. Coghlan.—Commissioner
act. Sheridan.—Motion to open default denied. Rejected.
Brenard.—Allowance of \$ per cent granted. Author-
ity denied. —Pays? Act. Hodgson.—Supplementary proceeds
of sale. Pays? Act. Hodgson.—Proceeds of sale
act. Brenard.—Judgment for plaintiff. Lynch, act. St.
Brooks, act. Conner; Goldie, act. Conner; Anthony, act.

genheim : Hertz agt. Stuart ; Duryee agt. Harrison ;
agt. Thompson ; Dobelman agt. Pottier ; Bramson agt.

CALENDAES—THIS DAY.

SUPREME COURT—CHANNERS—BARRETT, J.

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| 99. Priest nat. Priest. | 186. Matter of Courts |
| 114. Miller agt. Board of Police Commissioners. | 177. Matter of estate |
| | well. |

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| has | 119..Master of the First | 178..Lord agt. Tiffany |
| | Presby't'n Church. | 188..Abern agt. Weir. |
| su. | 144..Wormser agt. Hoffman. | 196..Whiton agt. Ma |

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| 146. The Mayor, &c., agt. The People | 252. La Rucart agt. People |
| 147. Hoffman agt. Burke. | 253. People agt. People |
| Call from No. 269 to end of calendar. | |
| SPECIAL TERM—VAN VOEST, J. | |
| 147. Peilly agt. Dillon et al. | 254. Nioll agt. Serry |
| 148. Power agt. Steinhilb et al. | 255. Nioll agt. Serry |
| 102. Miles and ano. agt. et al. | 145. Kinnery agt. Serry |
| 105. Harlan Bank agt. et al. | 253. Dunson agt. D. |
| 50. Dr. Zeigler agt. Hart et al. | 67. Rock agt. Hery |
| 22. Jursing agt. Hannel et al. | 26. Bar. agt. Hery |
| 128. Grailer et al. agt. Pow. et al. | 12. De. Co. |
| 133. Jacobs agt. Eyster | 41. Ocean &c. agt. |
| 135. Rusted agt. Miller | 74. Taylor agt. Roche |
| 141. Steinhilb agt. Butler | 74. Taylor agt. Roche |
| 142. Gidley agt. Brown et al. | 27. Allen agt. Doney |
| 143. Lyness, Jr. agt. Bran- den et al. | 27. Allen agt. Mills |
| 148. Hays agt. The A. and P. Co. | 334. Whiting agt. Serry |
| 150. Anthony agt. Serry | 150. Anthony agt. Serry |
| 151. Ten Eyck agt. Serry | 151. Ten Eyck agt. Serry |

—CIRCUIT—PART I.—DONOHUE, J.

2031. Bodman act. Athy.
2032. Bodman act. Athy.
2033. Gill et al. agt. Couner, &c.
2034. Philad. act. Berthelmer.
2035. Pitts et al. agt. Under-
wood.
1. Latorre act. Clark.
2838. Boyd act. Jackson.
2839. Boyd act. Jackson.
2. 91. Carroll act. Massey.
2944. Eccles act. Petroleum
Co.
3025. Hoag act. Powers.
3026. Hoag et al. agt. Jones.
2933. Innes act. New-
land.
2934. The Pender Co.
act. Gallardo.
2949. Price act. Del. Park.
2971. Archer act. O'Brien.
2983. Burk and son, agt.
Burr.
2991. Conant, &c. agt. The
Burr, &c.
3001. Horn act. Sheffield.
2998. Horn act. Sheffield.
3002. Korn act. Esch.
3057. Cohen and son, agt.
Horn.
2965. Horn Bank act.
Adams.
2955. Sprague et al. agt.
Herman.
3007. Hirsch act. Rabine
(No. 1).
2949. Say act. Same (No. 2).
3010. Roy act. The Mayor.
3017. Valley, &c. agt. Anand
and son.

PART II.—LAWRENCE, J.
1834. Brummen act. The May-
or, &c.
1832. Moore act. Elliott.
1546. Blot act. Mora.
1542. Blot act. Mora.
1830. Schell act. Collier.
1530. Falmes act. Silver-
stone.

2741. Millerberger agt. The
Mayor of N.
1577. Goldstein act. The
Mayor of N.
1583. Kohn act. The Mayor
of N.
1341. Frenkel act. The Mayor
of N.
1436. Purcell act. The Mayor
of N.
1437. Hay act. The Mayor
of N.
2709. Van act. The Mayor
of N.
2721. Shekman act. The Mayor
of N.
2845. Kohn act. Seigal.
2846. Kohn act. Seigal.
2851. Kohn act. Seigal.
2851. Kohn act. Seigal.
2013. Anand et al. agt. The
Burr.
3077. The Mayor, &c. agt. The
Burr, &c. R. E. B. & B.
3079. Same act. R. E. B. & B.
3081. Same act. R. E. B. & B.
3083. Same act. Central
N. E. R. B. & B.
3085. Same act. Central
N. E. R. B. & B.
3087. Same act. Central
N. E. R. B. & B.
2091. Wilbur act. The Mayor
of New York.
2093. The Mayor of New
York, &c. agt. Jacobson.

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| 2552..Lewis agt. The Chicago and China Tea Co. | 1132..Herrick agt. Sim |
| 2786..Vital agt. The Mayor. | 1888 1/2..Alkinson agt. mer. |

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| 18..Ollinger et al. agt. Do Wolf. | 60..Curran agt. Meis |
| 26..Bradford agt. Bissell et | 71..Whitney agt. To |

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| 28. | The Mutual Life Ins. Co. agt. Davis et al. | 9. | Arnold et al. ag gill. |
| 40. | Fowler agt. Butterby. | 21. | Doyle et al. agt. jr. |
| 64. | Millbrook agt. The Nat. Bank of Norway. | 25. | Starr agt. Moore |
| 68. | Weil agt. Fischer et al. | 72. | Boone, ac. agt. |

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| 73: The Real Estate Trust Co. agt. Balch et al. | INDIVIDUAL. S. Koch et al. agt. V. house et al. |
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| 1053. | Caffe agt. Lord, Jr., and ano. &c. | 500. | Payne et al. agt. her, &c. |
| 405. | Kneel and agt. Spitzka. | 313. | Whornington agt. The For- est and Grand |
| 312. | Thomas agt. Knight. | | E. R. R. Co. |
| 408. | Wray agt. Fedderke. | | |
| 405. | Brant agt. White. | | |

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| 318..Selling agt. Legendre and ano. | 300y..Sharrin, &c. Kein. |
| 327..Barnes and Titus. | 322..Molleson et al. |

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| 573.. Harrison agt. Ross. | 869.. McDermott agt. |
| 743.. Uhl. &c., agt. Cremer. | Lycoming Fir |

[illegible]

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| 883..Dowling agt. Voken- ing. | 907..White et al. agt. et al. |
| 884..Naylor agt. Meehan. | |

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| 1004..Lamberti agt. Monte- GOZZA. | 1070..U. S. Reflector C Ruston. |
| 809..Andrews agt. | |

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| 977. Wilson, act. Jr. | and others. |
| 983. McColloch, Jr. | 884. Schenck act. Har- |
| 985. McColloch. | 992. Keenan act. Har- |
| 929. O'Donnell act. N. Y. | 993. Ferguson act. Har- |
| and Harmon R. R. Co. | 1000. Patterson, Clark |
| 953. O'Donnell, C. C. Camp. | 1009. Mulcahy act. Har- |
| 990. McColloch, Jr. R. R. | 1013. Frank et al. agt. ap- |
| Y. C. & H. R. R. R. | 1014. Frank et al. agt. ap- |
| road Co. | 1015. Frank et al. agt. ap- |
| 693. Wilson, act. New- ton. | 1016. Frank et al. agt. ap- |
| 1156. Sullivan, act. South and North Alabama Railroad Co. | 1017. Frank et al. agt. ap- |
| 1020. Penn. R. R. Soc. agt. Webster. | 1149. Langan act. Gar- |
| 1242. Penn. R. R. Soc. agt. Webster. | 1150. Langan act. Gar- |
| 1242. Penn. R. R. Soc. agt. Webster. | 367. McGuire act. The Cen. & H. R. R. |

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| 1222. agt. Connor. | road Co. |
| 1223. McIntyre agt. Carroll. | 1266. Amadell agt. Gar |
| 1224. McLean agt. Barton. | 400. |

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| 352..Giles agt. Wetzelar. | 356..Banks agt. Carter |
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